



## **REGULAR COMMON COUNCIL MEETING**

### **JULY 1, 2013**

### **7 P.M.**

#### **Regular Meeting**

The regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, July 1, 2013 at 7 p.m.

#### **Present**

Mayor Daniel T. Drew, and Council Members Thomas J. Serra, Mary A. Bartolotta, Gerald E. Daley, Robert P. Santangelo, Hope Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah Kleckowski; Corporation Counsel Daniel B. Ryan; Sergeant-at-arms Officer Jim Lacasse, and Common Council Clerk Marie O. Norwood.

#### **Absent**

Councilman Ronald P. Klattenberg.

#### **Also Present**

Sixty members of the public, Hartford Courant Report Shawn Beals, and Middletown Press Reporter Alex Gecan.

#### **Meeting Called to Order**

The Chair, calls the meeting to order at 7:03 p.m. He asks Sandra Russo-Driska to lead the public in the Pledge of Allegiance.

#### **Call of Meeting Read**

The Call of the meeting is read and accepted. The Chair declares this call a legal call and the meeting a legal meeting.

#### **Motion to Amend the Agenda**

Councilman Serra states he would like to split the changes to the agenda and moves to add agenda items 8I and 8M grants and add agenda item 10K, a return of funds to the Board of Education; he moves for approval of the changes. Councilman Daley seconds the motion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the amendment to the agenda is approved with eleven affirmative votes.

#### **Noted for the Record**

Councilwoman Bartolotta leaves the chamber at 7:05 p.m.

Councilman Serra states there is resolution for signing a LoCIP application grant for \$100,000 for the acquisition of land for the Helfant property. He would rather have this die, because it is using LoCIP and he would support the appropriation request. LoCIP is for existing things we have and we only got \$300,000 and we should simply approve 7C, the appropriation request on the agenda. I would rather not make this motion. If another Council member would like to put it on the agenda, they should. Councilman Daley states he agrees with Councilman Serra and fully supports the appropriation request from the general fund for the Helfant property and does not support relying on a LoCIP application. He would like the City to step up and appropriate the money. This may be eligible and we have never used it to acquire property, but for capital assets. The Mayor states unless someone wants to sponsor the agenda item, we can proceed with the agenda.

#### **Motion to Amend the Agenda**

Councilman Pessina states he would like to keep it on. The reason to keep it on, this is July 1. The Chair states it is not on the agenda, would you like to make a motion to add it on. Councilman Pessina moves to add the resolution authorizing the Mayor to sign a LoCIP application for \$100,000 for the purchase of open space. Councilwoman Kleckowski seconds the motion. Councilman Serra states if this is okayed by the Council then if it is still the same four-year old guidelines and I don't have the new one and it does say here, and reads it and he doesn't think it came from the Conservation Commission and violates the policy. Councilman Pessina responds in all due respect, Gov. Malloy changed the use of LoCIP funding and today is July 1 and I can't see us taking \$100,00 from the general fund when the Finance Director is recommending that in lieu of taking money from the general fund we use LoCIP. We on Finance and Government will get future attempts to spend from it and it is not fair to the citizens to take \$100,000 when we have money from the State to pay for this land acquisition which I am supporting. Councilman Serra states this will set precedent and we have not done this before and it will be supported by the appropriation. We use this for emergency repairs; we have received from the Finance Director that we have \$3.2 million more than what we budgeted for and we will receive FEMA money as well. This Council for the past 8 years has done well by the citizens of Middletown. I don't see us using capital improvement. I believe the appropriation will handle this.

The Chair states we are early in the agenda and we shouldn't be debating appropriation versus LoCIP, only the motion to add agenda item 10L to make the acquisition. The Chair calls for the vote to add 10L; it is four aye votes by Council Members Pessina, Bibisi, Salafia, and Kleckowski and six nay votes by Council Members Serra, Daley, Santangelo, Kasper, Faulkner, and Berch. The Chair states it is six to 4; the motion fails.

**Agenda Item 3****Description****Presentation****Agenda Item 3A**

Councilman Berch asks Sandra Russo Driska to come forward to the dais. He reads the resolution and moves it for approval. Councilman Faulkner seconds the motion. The Chair states without objection, the resolution approved by acclamation. The public gives her a standing ovation

**Noted for the Record**

Councilwoman Bartolotta takes her seat at 7:15 p.m.

Councilman Serra would like to say a few words. You see someone grow in the job from when she started to now and seeing that when I came back in 2005 we were using microfiche and it is amazing to see the work being done and the use of computers. She is friendly and personable. She is a great representative of government in Middletown.

Ms Driska states she needs to recognize a lot of people; many of you we have been together for a lot of years. In the room are my family and friends and I need to recognize husband and son, TJ and daughter, Meghan my brother and cousins and friends and the matriarch of my family, Ann Gandolfo, 96 years young. We are a tight knit family. She couldn't do what I have done without my parents and my mom is here this evening. I lost my dad but he is here with me tonight and every day. She thanks her staff; it is emotional, but they are some of the most capable people I know. They are quintessential City employees and when you work together for 40 hours a week you go through all kinds of things together and we become a family. Thank you from the bottom of my heart for those years. There is someone in the room that needs to be recognized; when I turned 16, I told my dad I would like to go to City hall and it was to then Mayor Michael Cubeta who is here tonight. Mistakenly so, everyone thinks we are related, but we are not. We are close and she thanks him; you started my journey in this direction. My 30 years in this building have been amazing; you need to be able to come together for the citizens of Middletown and that was her goal for her and her staff. Thank you to everyone for your support and she will be staying in the community and opening a business. Middletown is in my heart. She thanks Dan Ryan, the Mayor and Joe Samolis; you have been wonderful to me during your time in office. Thank you.

The Mayor thanks Sandra for her work for the City and in the Town Clerk's Office; he states the success of the Mayor's Ball has been due to Sandra. Your efforts were so integral; your acumen and organizational skills and devotion to the cause she sets her heart on. One-fourth of the profits go to the Amazing Grace food pantry; it was a \$5,000 check and it equates to 10,000 meals. This is the kind of thing she never asks credit for and people stopping by at the food pantry will be fed due to her efforts.

**Resolution No. 91-13**

**File Name** ccrusso-driska2013

**Description** Congratulating Sandra Russo Driska upon her retirement.

**(Approved)**

**Whereas**, Sandra Russo Driska began working for the City of Middletown as a part-time employee while still in high school; she became a full-time employee in March, 1986 as a Tax Clerk; and

**Whereas**, she transferred to the Town Clerk's Office as a Records Clerk in December, 1986; and

**Whereas**, Sandra was promoted to Assistant Town Clerk in September, 1989; she became Acting City and Town Clerk in June, 1995 until July, 1996; and

**Whereas**, Sandra was appointed as the City and Town Clerk, in July, 1996, where she has worked diligently on behalf of Middletown and its residents.

**Now, Therefore, Be it Resolved by the Common Council of the City of Middletown:** That, on behalf of the citizens of Middletown, we thank Sandra Russo Driska for over twenty-seven years of service to the City of Middletown in the Office of the City and Town Clerk, and we offer our congratulations and our best wishes for a happy, healthy retirement; and

**Be It Further Resolved:** That we wish Sandra good luck in all her future endeavors.

**Agenda Item 4****Description Approval of Minutes**

The Chair asks for a motion to approve the minutes of the regular Common Council meeting of June 3, 2013 at 7 p.m. meeting; Special Meetings of June 3, 2013 at 6 p.m., and June 13, 2013 at 7 p.m. The minutes of the meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Pessina moves them for approval and there is a second by Councilman Santangelo. The Chair calls for the vote. Councilman Faulkner abstains from the vote on the minutes of June 3; Councilman Berch abstains from the vote on the minutes of June 3 at 6 and 7 p.m. and June 13 at 7 p.m.; Councilwoman Bartolotta abstains from the vote on the minutes of June 13 at 7; and Councilman Serra abstains from the vote of the minutes of June 13 at 7 p.m. The Chair states the matters pass with the noted abstentions.

**Agenda Item 5****Description Public Hearing**

The Chair opens the public hearing at 7:26 p.m. and states all those wishing to speak will have five minutes to address the Council.

Eric Hammerling, Forest and Parks Association, speaks to the appropriation for the open space property. He explains who the Forest and Park Association, a nonprofit conservation group. They maintain the Blue Trail hiking system. There is 825 miles of blue blazed trails. It is part of the New England National Scenic Trail system,. We have two of the 11 national scenic trails in Connecticut. He thanks the Council for protecting this property. It is a special day for trail protection and the acquisition to recognize our dear friend Katchen Coley. The heart of Middletown is volunteers like Katchen Coley. Every town needs at least one Katchen who is selfless and single-minded in protecting resources of their town. He thanks Katchen for her good deeds and the Council for supporting this project.

Michael Ennis states he is a member of Conservation Commission and is speaking in support of 7C and the appropriation for this acquisition. The City is making a proactive decision to preserve this parcel that is unique and beautiful. It is also a huge public use and passive recreation opportunity. The land has been used for decades. You are doing a great favor to protect this asset. It is also in keeping with Middletown’s strategy for creating greenways. He commends the staff and Council for moving forward with this. Maromas is Middletown’s last wild place and I think it is timely and appropriate in doing so. It is a lot of value for the expenditure. He asks for the Council’s support.

Dr. Charles, Superintendent of Schools, thanks the Council for consideration of returning \$224,000 to the Board of Education. I appreciate you are willing to have that conversation and the Board is looking to balance the fiscal responsibility and balancing it with what we want to accomplish. Thank you for your consideration.

Matt Lesser, Middletown State Representative states he wanted to applaud the Council for considering 7C and to thank the Council for doing your part that Middletown cares for preserving that section of Middletown for our generation and to future generations. He encourages all of the Council to consider this.

Earle Roberts addresses the transfers. Throughout the year, hundreds of thousand go in and out of here. There are things we need to do a better job on follow up on next year’s budget. After getting a stack of bills on the taxes I am not a happy camper on that. Resolution 10B, bulky waste, the revenue side is the real precious metals, a lot of things go in and out of it other than general comments and numbers. The revenue side you need to do your homework. Item 10D, the composting facility and he was on the original task force and they created it and back then we suggested to pay by the cubic yard or truck load; no matter what you bring in you will be \$3500. On 10F, he supports it, once it is enacted, he hopes you will consider selling the building. Lastly is the \$100,000 for open space and having served on CC and as it vice chair, he worked close on the first \$5 million referendum and he is having problem tonight. LoCIP should not be applied here. It is wrong to think this way. The general fund should be an issue politically and is against taking it out of there. As far as LoCIP a lot of roads need to be fixed and to the extent, there are other properties on the last and were they considered in the same venue that this one was considered. He is looking at it from the perspective of open space policy and precedence. Why don’t we go to a referendum and let the general public bless it. You have a vote in November; put it on the ballot. That is the process we have worked under and it hurts him for all the hours he gave to evaluate the properties and not just Bill Warner’s. Chair states he doesn’t want to hear comments about individuals. Earle comments. The Chair rules him out of order.

**Agenda Item 6**  
**Description Public Hearing Closes**

The Chair asks if there are any further speakers; seeing none, he closes the public hearing at 7:39 p.m.

**Motion to Recess**


Councilman Serra moves for a five minute recess; Councilwoman Bartolotta seconds the motion. The Chair calls for the vote and the matter passes unanimously with eleven aye votes. The Chair states the meeting is recessed and will reconvene at 7:50 p.m.

**Meeting Reconvenes**

The Chair calls the meeting back to order at 7:47 p.m.

The Chair asks the Clerk to read the following:

**Appropriation Requests:**



MAYOR'S OFFICE  
MUNICIPAL BUILDING

CITY OF MIDDLETOWN


NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on: Monday, July 1, 2013 at 7 p.m. to consider and act upon the following:

A. Fire Department	\$30,000, Account 2010-500003-51340-0600, Overtime, Fire Fund.
B. Special Accounts	\$75,000, Account 1000-27000-55449, Sports Facility Design Services, General Fund.
C. Planning, Conservation And Development	\$120,000, Account No. 1000-27000-55425, 2013 Open Space Purchase, General Fund.

Any and all persons interested may appear and be heard.

ATTEST:

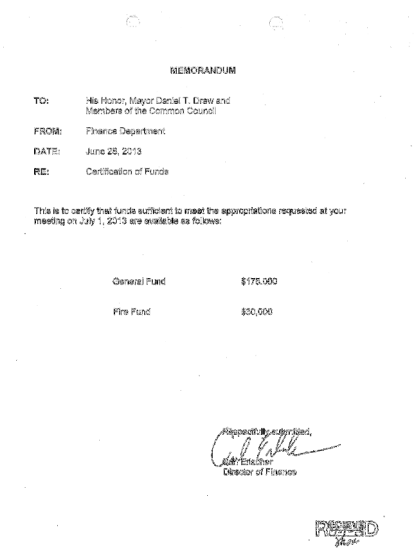


MAYOR DANIEL T. DREW  
Mayor

Dated at Middletown, Connecticut, this 21st day of June, 2013.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the Acting ADA Coordinator at (860)344-5467 (voice) or (860) 344-5521 (TDD/TTY) or the Town Clerk's Office at (860) 344-5459 at least ten days prior to the scheduled meeting.

Certificate of Director of Finance:



**Agenda Item 7A**

Councilman Santangelo reads and moves for approval, agenda item 7A, the Fire Department appropriation request for \$30,000; his motion is seconded by Councilman Faulkner. The Chair asks for discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes

**Fire Department \$30,000, Account 2010-500000-51340-0500, Overtime, Fire Fund.**  
**(Approved)**

**Agenda Item 7B**

Councilman Berch reads and moves for approval the appropriation request for \$75,000 for the special accounts for \$75,000 and his motion is seconded by Councilman Santangelo. Councilman Serra states I believe this will be the beginning of taking care of our infrastructure. We haven't touched our parks in 20 years and this is a good investment. All of our infrastructure is what is evaluated and used for the bond rating.

Councilman Berch states driving through town and seeing the disrepair of the parks and it is shameful some of them. We deserve better and we are looking at a lot of parks and this is a beginning. He will support this.

Councilman Pessina wanted to say that his first term they formed a committee and took a band aid approach to the tennis courts at Woodrow Wilson and he is supporting this and he will support building the new tennis courts. We need to move forward in a positive manner. The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with eleven affirmative votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Special Accounts \$75,000, Account 1000-27000-55449, Sports Facility Design Services, General Fund.**  
**(Approved)**

**Agenda Item 7C**

The Chair states he wants to say it is a testament to Middletown's commitment to open space that the debate was note on the purchase but on how to pay for this.

Councilman Daley reads and moves for approval agenda item 7C; his motion is seconded by Councilman Serra. Councilman Daley points out that what Mr. Robert's mentioned was the process and there is money from the open space fund and a little bit is still left and that money with this appropriation will pay for this property. This particular parcel has been recognized as a high priority open space purchase and we should go forward with this and our commitment to open space and preservation of farm land. He urges everyone's support.

Councilman Bibisi states for the record, this property has been in our scope and the original owner, we approached him to sell the property over ten years ago and he refused to sell it. Katchen walked it and Conservation was interested in this some time ago and his wife now wants to sell the property. It will add to our quality of life and it has trails on it and he urges his colleagues to vote for this.

Councilman Serra states this is Middletown's legacy and Earle was right back in 1983 that is when we started the bonding for open space and this government has been doing it ever since.

The Chair states in the time when the environment's ultimate disposition is in question, we have another resolution regarding solar panels. The more trees and plant life we have, it adds to the environment. He calls for the vote. It is unanimous to approve with eleven aye votes. The Chair declares the matter passes unanimously with elven affirmative votes. He thanks everyone for being here and their support.

Planning, Conservation  
And Development  
(Approved)

\$100,000, Account No. 1000-27000-55426, 2013 Open  
Space Purchase, General Fund.

Agenda Item 8

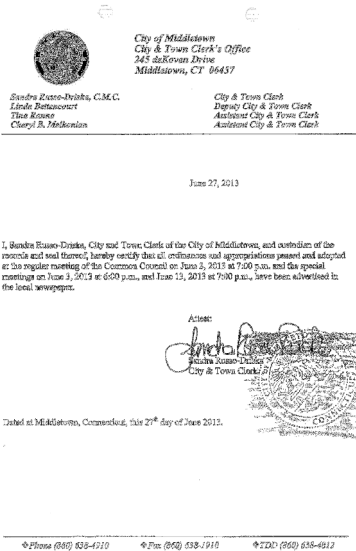
Councilman Serra reads and moves for approval agenda items 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L and 8M; before he moves it for approval, he asks Councilman Pessina to give a quick report on Eckersley-Hall. Councilman Pessina states Councilman Klattenberg could not be here and he wanted me to extend his pleasure and he is happy to report that the \$4.5 million renovation is on track to begin in September and would be completed in 9 – 12 months; they are looking at September, 2014. They will be doing site walk through in August; August 12, they will select a contractor for the Mayor to sign contracts with. They hope ground breaking will be done in September, 2013. The Building Committee is on track to have it completed and under the estimated amount after grants. He is looking forward to seeing the building put up.

Councilman Serra moves for approval, the items under agenda item 8, as named; his motion is seconded by Councilwoman Kasper. The vote is called and it is unanimous to approve with eleven aye votes. The Chair declares the matters pass unanimously with eleven affirmative votes.

Noted for the Record

Councilwoman Bartolotta leaves the chamber at 7:57 p.m.

Agenda Item 8A  
City and Town Clerk’s Certificate  
(Approved)



Agenda Item 8B  
(Approved)

Finance Department Transfer Report to June 25, 2013

Agenda Item 8C  
(Approved)

Name of Grant: As Listed Below  
Amount \$524,905.92  
Code: 2450-33000-  
Grant Period: From: 7/1/2012 To: 6/30/201  
Type of  
Amount Loaned from General \$0.00

Department Administering Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this

760 - Bielefield-Family School Connection \$60; 769 - Middletown Teen Theater \$9,699; 819 - Out of Town Magnet School \$11,200; 838 - Governance Council-Bielefield School \$2,341.30; 852 - Universal Service Fund \$23,215.97; 854 - United Way-Youth Services Development \$62.56; 876 - Hartford Symphony Donations \$10,700.01; 894 - Swaim Strings Program \$4,700; 700 - Food Services Receipts \$231,195.15; 801 - Retiree/Cobra Insurance \$78,263.77; 803 - Workers' Compensation \$2,252.95; 804 - Preschool Program Receipts \$4,919; 807 - Aetna Classified \$577.57; 809 - Maintenance/Rentals \$5,454.12; 833 - Adult Ed Receipts \$80,041.05; 888 - Farm Hill After School Parent Fees \$10; 895 - Special Ed Tuition Reimbursement \$58,803.47; 902 - Student Activities-W.W.M.S. \$1,410 Total Special Programs Through 5/23/2013 \$13,930,703.50

Requested by: Patricia Charles, ED.D

**Agenda Item 8D  
(Approved)**

**Name of Grant:** Kids Health and Safety Day  
**Amount** \$200.00  
**Code:** 3070-31000-  
**Grant Period:** **From:** 3/20/201 **To:** 6/30/201  
**Type of** Local

**Amount Loaned from General** \$0.00

**Department Administering** Health Department

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Donation to support Kids Health and Safety Day on June 1, 2013 from Joyce Massicotte for \$200.00

**Requested by:** Joseph A. Havlicek

**Agenda Item 8E  
(Approved)**

**Name of Grant:** Preventative Health Block Grant  
**Amount** \$10,148.00  
**Code:** 3070-31000-  
**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201  
**Type of** State

**Amount Loaned from General** \$10,148.00

**Department Administering** Health Department

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Increase in grant award approved on July 2, 2012 by \$2,629. Original amount of grant was \$7,519 to support Tools for Schools program at various Middletown Public Schools. This program works with the Middletown Public School Facility Department in cooperation with School Administrators, School PTO's and School Nurses to decrease asthma related visits. Total grant award for 2013/14 is \$10,148.00

**Requested by:** Joseph A. Havlicek, MD

**Agenda Item 8F  
(Approved)**

**Name of Grant:** Parks and Recreation Activity Account  
**Amount** \$1,000.00  
**Code:** 2210-32000-  
**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201  
**Type of** Local

**Amount Loaned from General** \$0.00

**Department Administering** Parks and Recreation Department

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Donation to support typical children participating in Inclusion programs from Civitan Club of Middletown, Inc. Projects in the amount of \$1,000.00

**Requested by:** Debbie Didato Stanley

**Agenda Item 8G  
(Approved)**

**Name of Grant:** Historic Document Preservation  
**Amount** \$8,000.00  
**Code:** 2390-04000-  
**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201  
**Type of** Local

**Amount Loaned from General** \$0.00

**Department Administering** Town Clerk

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the

Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Continue ongoing preservation projects for land records and maps in Town Clerk's Office

**Requested by:** Sandra Russo-Driska

Agenda Item 8H

(Approved)

Tax Collector's 2013 Suspense Report

City of Middletown  
Office of the Tax Collector

8H

Lee Renee Maternazzo, CCMC, Tax Collector  
Telephone No. (203) 437-4000  
Fax: (203) 435-2990  
Toll: (800) 244-5337

June 6, 2013

Mayor Daniel T. Drew  
Members of the Common Council

Ladies and Gentlemen:

In compliance with Section 12-105 of the Connecticut General Statutes, I hereby submit a grand total of Personal Property and Motor Vehicle tax bills which I deemed to be uncollectible at the present time and request your approval to transfer those bills to our Suspense Tax Roll as of June 1, 2013. A bill is available in the Tax Office.

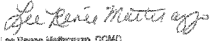
Motor vehicles submitted for auction are presently not registered in Middletown. All suspension bills are also entered into our automated system. This file is used to cross reference motor vehicle tax bills and all delinquent motor vehicle tax accounts.

This file is a valuable tool in the collection of all delinquent motor vehicle taxes. From July 1, 2012 to April 30, 2013, we have collected more than \$16,000 in suspension bills and more than \$450,000.00 in the past fourteen years.

Motor Vehicle Taxes	\$171,863.88
Personal Property Taxes	\$5,425.08
Supplemental Motor Vehicle Taxes	\$54,107.99
	\$226,497.63

If these suspension bills are approved, I would appreciate being informed, in writing, of each action as a matter of record.

Very truly yours,

  
Lee Renee Maternazzo, CCMC  
Tax Collector  
City of Middletown

240 Main Street • Middletown, CT 06457

SUMMARY OF ACCOUNTS REQUESTED FOR SUSPENSE APPROVAL			
JUNE 2013			
	SUSPENSED	CITY AMOUNT	FIRE AMOUNT
2010 PERSONAL PROPERTY	152.21	126.71	22.50
MOTOR VEHICLE	28,856.91	25,721.00	2,654.91
MOTOR VEHICLE SUPP	2,136.38	1,919.58	216.80
2006 PERSONAL PROPERTY	877.22	802.82	104.70
MOTOR VEHICLE	23,978.85	28,282.90	2,650.95
MOTOR VEHICLE SUPP	3,665.93	3,209.89	426.04
2008 PERSONAL PROPERTY	818.70	811.30	6.00
MOTOR VEHICLE	16,882.19	17,793.87	1,355.50
MOTOR VEHICLE SUPP	6,423.06	6,098.50	487.40
2007 PERSONAL PROPERTY	1,427.58	1,014.04	113.89
MOTOR VEHICLE	17,793.84	18,062.91	1,209.25
MOTOR VEHICLE SUPP	3,891.24	3,527.51	353.73
2006 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	15,879.76	17,096.38	1,416.48
MOTOR VEHICLE SUPP	4,984.71	4,246.50	363.49
2008 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	23,874.40	19,837.80	1,290.86
MOTOR VEHICLE SUPP	3,021.57	2,796.03	273.04
2004 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	10,005.35	9,403.97	967.83
MOTOR VEHICLE SUPP	3,063.80	2,948.47	217.13
2000 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	6,275.10	6,038.98	676.41
MOTOR VEHICLE SUPP	1,770.10	1,672.72	199.36
2002 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	6,338.88	4,301.40	492.38
MOTOR VEHICLE SUPP	2,164.22	2,027.85	188.37
2001 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	6,405.08	5,538.50	668.78
MOTOR VEHICLE SUPP	981.66	826.86	132.40
2003 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	2,913.87	2,967.38	258.31
MOTOR VEHICLE SUPP	1,428.57	1,219.57	206.70
1999 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	4,340.68	4,232.55	956.61
MOTOR VEHICLE SUPP	448.59	378.53	67.53
1998 PERSONAL PROPERTY	-	-	-
MOTOR VEHICLE	3,331.28	3,126.67	240.66
MOTOR VEHICLE SUPP	729.21	666.11	83.10
	259,497.63	191,715.10	18,622.82

Agenda Item 8I

(Approved)

Eckersley-Hall Building Committee Progress Report

MEMORANDUM

BT

TO: Members of the Common Council

FROM: Councilman R. Klayenberg, Chair, Eckersley-Hall Building Committee  
Councilman P. Pessina, Vice Chair, Eckersley-Hall Building Committee

DATE: July 1, 2013

RE: Eckersley-Hall Building Committee Progress Report 5

- On June 20, the State Historic Preservation Office (SHPO) received the signed contract from the Attorney General's Office for the Historic Restoration Grant previously awarded to the Senior Center Project. The SHPO staff immediately informed the Committee that the project is approved to go out for competitive bids.
- During the week of June 17, the Middletown Building Dept, Police Dept, Health Dept and South Fire District completed reviews of the plans and specifications and only minor modifications were necessary. All departments represented the opportunity to review the project and thought the plans were well thought out and the senior/community center will be an excellent asset for the city.
- On June 21, Seaver + Petrusilli & Associates completed all final specifications and drawings for the project. The City Purchasing Dept will have 30 copies made and notify the Hartford Courant to advertise the project on Thursday, June 27 and Friday, June 28.
- The letter affirming the agreement between the City and CEFA that the cash equivalent for the 50% of solar PV or \$35,000 will be used to prepare a MOU to set the terms and conditions of the grant. This may need to be placed on an upcoming Council agenda.
- Joe Cunningham, National consultant, is now preparing and assembling the overall cost and funding information required by SHPO to ascertain the value of the tax credits to be received for this project. We expect this next step to be completed by early July.
- The schedule for the project is as follows:

June 27-28...Advertise project bid packages (2 days)

July 9...Pre-bid meeting

July 16...Last day for questions

July 23...Advertisement is posted on city website

Aug 1...Bid opening at 11:00 am in Council Chambers

Aug 1 - Aug 7...Purchasing Dept, SHPO and Public Works review all bids and confirm completeness and responsible lowest bid(s). Prepare recommendation to Building Committee

August 12... Building Committee meets, reviews bid(s) and department recommendations.

August 13 - Sept 7... City and successful bidder enter into contract and groundbreaking is announced.

Sept, 2013 - August, 2014, Project is completed.

Sept, 2014, Official opening of new Senior & Community Center.

**Agenda Item 8J  
(Approved)**

**Name of Grant:** Remington Rand Boiler demolition  
**Amount** \$154,000.00  
**Code:** 2286-14000-59216  
**Grant Period:** **From:** 7/1/2013 **To:** 7/1/2014  
**Type of** Local

**Amount Loaned from General** \$154,000.00

**Department Administering** Planning, Conservation and Development

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Grant from UNISYS corporation to assist with the demolition of the blighted and condemned boiler building at the Remington Rand property.

**Requested by:** William Warner

**Agenda Item 8K  
(Approved)**

**Name of Grant:** Parks and Recreation Activity Fund  
**Amount** \$1,000.00  
**Code:** 2210-32000-  
**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201  
**Type of** Local

**Amount Loaned from General** \$0.00

**Department Administering** Parks and Recreation Department

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Donation of \$1,000 from Middlesex County Chamber of Commerce to support Halloween Youth Programs

**Requested by:** Debbie Didato Stanley

**Agenda Item 8L  
(Approved)**

**Name of Grant:** As Listed Below  
**Amount** \$178,888.45  
**Code:** 2450-33000-  
**Grant Period:** **From:** 7/1/2012 **To:** 6/30/201  
**Type of**

**Amount Loaned from General** \$0.00

**Department Administering** Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Revised/Additional Revenue Collected for "2012-2013" fiscal year - 769 - Middletown Teen Theater \$17,563; 838 - Governance Council-Bielefield \$23.06; 841 - Special Ed Medicaid \$3,222.41; 852 - Universal Service Fund \$40; 700 - Food Services Receipts \$130,537.99; 801 - Retirees/Cobra Insurance \$4,148.99; 803 - Workers' Compensation \$4,034.15; 804 - Preschool Program Receipts \$1,039; 807 - Aetna Classified \$91.74; 809 - Maintenance/Rentals \$1,346.25; 833 - Adult Education Receipts \$16,341.86; 902 - Student Activities-W.W.M.S. \$500 Total Special Programs Through 6/21/2013 \$14,455,609.42 ADDITIONS \$178,888.45 Total Special

**Requested by:** Patricia Charles, ED.D

**Agenda Item 8M  
(Approved)**

**Name of Grant:** School Readiness  
**Amount** \$1,992,550.00  
**Code:** 3730-33000-  
**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201  
**Type of** State



**Amount Loaned from General \$0.00**

**Department Administering** Mayor's Office/Superintendent of Schools

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this**

Funds from this grant will be used to 1) significantly increase the number of accredited and/or approved slots for young children in order to provide access to highly quality preschool; 2) significantly increase the number of slots for young children to receive full day, full year child care services to meet family needs to enable parents to become employed; 3) establish a shared cost for such early care and education programs among the state, its various

**Requested by:** Mayor Daniel T. Drew

**Agenda Item 9**

**(Approved)**

Councilman Serra moves the payment of all City bills that have been properly approved. His motion is seconded by Councilman Santangelo. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with ten affirmative votes. Councilwoman Bartolotta is not in the chamber.

**Agenda Item 10A**

Councilwoman Kasper reads and moves for approval agenda item 10A; Councilman Faulkner seconds the motion. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously with ten affirmative votes. Councilwoman Bartolotta is out of the Chamber.

**Resolution No. 92-13**

**File Name** fiCLOSED2013Acc

**Description** Approving closing various funds as listed in the resolution and transferring remaining funds to the debt service.

**(Approved)**

Whereas, The City of Middletown has met all obligations concerning the following funds.

Therefore, Be It Resolved By the Common Council of The City of Middletown that: The following funds be closed and any monies remaining be transferred to Debt Service.

4015	Revenue Control Sys/Arcade Parking Lot	-0-
4045	Cross St. Fire Station Bldg Energy Conser.	-0-
4046	Fire Station Headquarters Bldg Energy	-0-
4115	Water System Improvements	-0-
4161	Palmer Field Energy Conservation	-0-
4162	Parks Dept Bldg Energy Conser	-0-
4163	Remington Rand Bldg Conser	-0-
4278	Various Pump Stations Energy Conser	-0-
4462	City Yard/PW Conservation Improv	-0-
4531	Higby Water Treatment Facility Energy	-0-
4561	Russell Library Energy Conservation	-0-
4651	Water & Sewer Bldg Energy Conser	-0-
4652	Roth Water Treatment Plant Energy Conser	-0-
4781	Police Headquarters Energy Conservation	-0-

Financial Impact: No financial impact.

**Agenda Item 10B**

Councilman Daley reads and moves for approval agenda item 10B; Councilman Pessina seconds the motion. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with ten affirmative votes. The Chair declares the matter is approved unanimously with ten affirmative votes. Councilwoman Bartolotta is out of the Chamber.

**Resolution No. 93-13**

**File Name** pwbulkywastebud13-14

**Description** Approving the fiscal year 2013-14 Bulky Waste Fund Budget.

**(Approved)**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Bulky Waste Fund budget for the Fiscal Year 13-14 be approved as follows:**

**Expenditures:**

Repairs/Maintenance to Vehicles \$ 20,000.00

Motor Vehicle Parts/Supplies	\$ 20,000.00
Bank Service Fees	\$ 10,000.00
Waste Removal	\$ 260,000.00
Oil Recycling	\$ 2,400.00
Mattress Recycling	\$ 4,000.00
Tire Recycling	\$ 5,000.00
Waste Equipment Supplies	\$ 65,000.00
Site Improvements	\$ 57,500.00
Truck Rental/Lease	<u>\$ 4,000.00</u>

<b>Total Expenditures</b>	<b>\$ 447,900.00</b>
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**Revenue:**

Scale Receipts	\$ 190,000.00
Cardboard Recycling	\$ 10,000.00
Paper Recycling	\$ 13,200.00
Scrap Metal Recycling	\$ 15,000.00
Gift Card Receipts	\$ 1,000.00
Roadside Bulky Waste Revenue	\$ 15,000.00
Interest Earned	\$ 2,000.00
Transfer from General Fund	\$ 30,000.00
Bulky Waste Contribution from Fund Balance	<u>\$ 171,700.00</u>

**Total Revenue** \$ 447,900.00

**Agenda item 10C**

Councilman Santangelo reads and moves for approval agenda item 10C.

### Noted for the Record

Councilwoman Bartolotta takes her seat at 7:58 p.m.

The motion is seconded by Councilman Faulkner. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 94-13**

**File Name** wswatercnrbudapp13-14andtransfers  
Wsransfersandexhibit

<b>Description</b>	<b>Approving the 2013/14 Water Department CNR to include the creation of new line items and CNR transfers as identified in Exhibit 1 attached to the resolution.</b>
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**(Approved)**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the following Water Department CNR for fiscal year 2013/14 be approved to include the creation of new line items and CNR Transfers as identified in Exhibit 1.

Fiscal Impact: The impact is as follows:  
\$500,000 Budget FY 13/14 Approved – Depreciation (CNR)  
\$180,849 CNR lines closed, funds reassigned  
\$ 77,451 Transfer from CNR Fund Balance  
Therefore, true impact is \$77,451.00 from open fund balance.

[illegible]

[illegible]

FYI

[illegible]

Funding Plan FY 13/14 Water	
<b>Source of Funding</b>	
FY 13/14 Depreciation	\$500,000.00
Returned to Fund Balance	\$160,849.00
<b>Total</b>	<b>\$660,849.00</b>
<b>Proposed CNR Expenses</b>	
FY 13/14CNR Request	\$758,300.00
Available Funds	\$680,849.00
<b>Additional Use of Existing CNR Fund Balance</b>	<b>\$77,451.00</b>
<b>Total Water CNR Funding Request</b>	<b>\$758,300.00</b>

**Agenda Item 10D**

Councilman Berch reads and moves for approval agenda item 10D; his motion is seconded by Councilman Pessina. The Chair calls for discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 95-13**

**File Name** pwbidwaiverKolmanFarmleafcomposting(4)

Item Name	Description
1	Approving the bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances to allow Kolman Farms to continue to accept City leaves for composting at an annual cost of \$35,000 for the next two years.

**(Approved)**

**Whereas**, in accordance with State Law and Municipal Ordinance, leaves must be recycled; and

**Whereas,** Kolman Farms is a registered leaf composting facility in Middletown; and

**Whereas**, Kolman Farms has continued to be the low bidder for the City's leaf composting services since this program started; and

**Whereas,** Kolman Farms has been maintaining the leaves in compliance with DEEP regulations; and

**Whereas**, there is no other registered leaf composting facility within a ten mile radius of the City Transfer Station; and

**Whereas**, the Recycling Coordinator contacted other area farms and none were interested in the quantity of leaves that the City generates; and

**Whereas**, it costs much more to transfer the leaves to a facility further away; and

**Whereas**, the vendor has agreed to hold his pricing for the next five years, and as a result, the department has requested a bid waiver; and

**Whereas**, the Purchasing and Standardization Committee has approved the requested Bid Waiver with a 3 –0 vote on June 19, 2013.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances, be it approved to allow

Kolman Farms to continue accepting the City’s leaves for composting for \$35,000 annually for the next five years.

Financial Impact Statement

The funds have already been included in the Public Works budget for FY 13-14.

Agenda Item 10E

Councilman Faulkner reads and moves for approval agenda item 10E; his motion is seconded by Councilman Santangelo.

Councilman Bibisi states St. Vincent DePaul got \$15,000 and that is ¼’s of the budget for 2014. The Chair recognizes Councilman Bibisi for his hard work. Hearing no further comments, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No.96-13

File Name hehealthgrant201314resolution  
Description Approving the 2013-14 City of Middletown Public Health Block Grants as listed in the resolution for a total of \$82,800.

(Approved)

Be it resolved by the Common Council of the City of Middletown: that the 2013-2014 City of Middletown budget allocated \$105,300 for Public Health Block Grant and

Be It Further Resolved: That the Board of Health recommended the funds to be disbursed as follows:

<u>AGENCY</u>	<u>AMOUNT ALLOCATED BY BOARD OF HEALTH MEMBERS</u>
YMCA Child and Youth Fitness Program	\$5,000
St. Vincent DePaul, Warming Center	\$15,000
CRT, Summer Food Program	\$10,000
CRT, Head Start Services	\$8,180
Women and Family Center	\$10,000
Gilead Community Services	\$5,000
Russell Library, Health And Wellness Program	\$10,500
Ryan Woods Autism Foundation	\$10,000
Middlesex Hospital Opportunity Knocks	\$5,000
Middlesex Hospital Fit for Kids	\$4,120
	\$82,800

An additional request from CRT, New Horizon Domestic Violence Center for \$22,500 will be paid from the City of Middletown directly.

FISCAL IMPACT: There is no fiscal impact. Funding for the grants are in the 2013/2014 Budget.

Agenda Item 10F

Councilman Daley reads and moves for approval agenda item 10F; his motion is seconded by Councilman Pessina.

Motion to Amend

Councilman Berch moves to amend the resolution by adding the following:

Greenskies incur any and all costs for engineering, implementing and installing improvements for infrastructure of the Remington Rand building to support the weight of this project encumbered upon it.

Councilman Pessina seconds the motion. Councilman Daley takes it as a friendly amendment. The Chair calls for the vote on the amendment and it is unanimous to approve with eleven aye votes.

The Chair asks if there is any discussion on the underlying motion as amended by Councilman Berch. Councilman Daley points out that putting in place a system of solar panels to provide power to the Remington Rand property, will also mean construction of a new roof which is a good opportunity for the City. Councilman Berch supports the resolution; it is a good idea with the legislation that was passed to support these ideas and it is a great way to offset electric costs and to go with the plan put in place by the legislature and the governor. He will support this.

Hearing no further discussion, the Chair calls for the vote on the amendment. The matter passes unanimously with eleven affirmative votes. The Chair states the matter passes with eleven affirmative votes.

Resolution No.97-13

File Name PCDRemingtonPowerPurchase  
PCDRemingtonPoerContract  
PCDsolarspreadsheet  
Description Approving the contract between Greenskies subsidiary company to purchase 100% of the solar power from the installation of a 219.45 kW solar system on the roof of the former Remington Rand Property; authorizing the Mayor to execute the power purchase agreement in the form as presented to the Council with such changes and revisions as

**shall be negotiated and determined by the Mayor after consultation with legal counsel and the best interests of the City; and the Council waives the competitive bidding portion of the Middletown Code of Ordinances as previously done at their December 21, 2011 meeting with regard to the purchase of electricity produced by solar panels situated on City Property.**

**(Amended and Approved)**

Whereas, the city has been approached by Greenskies, Inc. regarding the installation of a 219.45 kW solar system on the roof of the former Remington Rand property; and

Whereas, Greenskies Inc. has offered the city a power purchase agreement which would have a subsidiary company of Greenskies Inc. purchase, secure all necessary approvals, install, maintain and insure the solar system at their sole and exclusive cost; and

Whereas, Greenskies Inc. will install a much needed new roof on the 120 year old building prior to installing the solar panels which is a direct benefit to the city and will open 50,000 sq. on the second floor to generate additional revenue; and

Whereas, the City would then agree to purchase 100% of the power produced by the solar system from the subsidiary company created by Greenskies Inc. for twenty (20) years; and

Whereas, it is estimated that this solar system will produce 219,000 kWh per year. This clean and green energy is the equivalent to the electric usage of 23 average homes/year or the carbon dioxide emissions from 17,322 gallons of gasoline or 132 passenger vehicles per year; and

Whereas, it has been determined that the financial and the environmental benefits of such solar system combined with a new roof are significant and it is the best interest of the city to move in a more stable and sustainable direction with regard to its energy consumption at the former Remington Rand building.

Now therefore be it resolved by the Common Council of the City of Middletown that: Mayor Daniel T. Drew, is hereby authorized to execute and deliver a power purchase agreement in the form of the agreement presented to this meeting with such changes and revisions as shall be negotiated and determined by the Mayor, after consultation with legal counsel, to be in the best interests of the City as evidenced by his signature on the final power purchase agreement(s).

Be it Further Resolved that the Economic Development Committee has recommended and the City of Middletown Common Council is therefore waiving, as was previously done at the Common Council meeting on December 21, 2011, the Sale of Public Property Ordinance Number 25-07 in the Middletown Code of Ordinances §232-4- §232-14 as provided for in article §232-13 to authorize the Mayor to enter into long term access agreements with Greenskies Inc. or its subsidiaries' for the purpose of installing and maintaining solar systems on city property; and

Be It Further Resolved that the Common Council waives, as was previously done at the Common Council meeting on December 21, 2011, the competitive bidding portion of the Middletown Code of Ordinances with regard to the purchase of electricity produced by solar panels situated on City Property; and

Be It Further Resolved: That Greenskies incur any and all costs for engineering, implementing and installing improvements for infrastructure of the Remington Rand building to support the weight of this project encumbered upon it.

**Agenda Item 10G**

Councilwoman Bartolotta reads and moves for approval agenda item 10G; her motion is seconded by Councilman Santangelo. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 98-13**

**File Name** PCDRRIPgrant

PCDRRIPgrant-letter.pdf

**Description** Approving the City's interest in participating in the Regional Planning Incentive program (RPIP) and certifying the Council knows of legal obstacles to the City's participation in the program and provision of services described in the proposal.

**(Approved)**

**Be it resolved that**, on July 1<sup>st</sup>, 2013, the Middletown Common Council voted to participate in the proposed lower Connecticut River GIS and Economic Data Center and Economic Development Study.

An application for this project has been approved by the State of Connecticut Office of Policy and Management, for the former Connecticut River Estuary Regional Planning Agency, now known as the Lower CT River Valley Council of Governments for funding under section 5 of Public Act 11-61. This program is also known as the Regional Planning Incentive program (RPIP).

**Be it further resolved** that this Council hereby certifies that there is known legal obstacles to the city's participation in this program and provision of services described in the proposal.

**FINANCIAL IMPACT** – There is no financial impact on the general fund.

**Agenda Item 10H**

Councilman Daley reads and moves for approval agenda item 10H for Sow Fresh Organics, LLC and Chris Coughlin's Microbrewery business; Councilwoman Kasper seconds the motion.

Councilman Santangelo states this resolution as a business proposition he supports the business end of it, but will abstain from the vote due to the type of business moving into the building.

The Chair calls for further discussion; hearing none, he calls for the vote. It is ten aye votes by Council Members Serra, Bartolotta, Daley, Kasper, Faulkner, Pessina, Bibisi, Salafia, Berch, and Kleckowski; and one abstention by Councilman Santangelo. Councilman Klattenberg is absent from the meeting. The Chair states the matter passes with ten affirmative votes and one abstention.

**Resolution No. 99-13**

**File Name** PCDSowFresh\_Coughlin

**Description** Approving the leases for 180 Johnson Street, the former Remington Rand Building for Sow Fresh Organics, LLC and Chris Coughlin microbrewery and authorizing the Mayor to sign the documents necessary to implement the leases.

**(Approved)**

**WHEREAS**, at the June 10, 2013 Meeting of the Economic Development Committee, the members present agreed to move forward to the Common Council a proposed lease for Sow Fresh Organics, LLC and a proposed lease with Chris Coughlin's Micro-brewery business at the former Remington Rand building (180 Johnson Street).

**WHEREAS**, the Planning and Zoning Commission, at their June 26, 2013 meeting will review the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into a lease agreement with Sow Fresh Organics, LLC and enter into a lease agreement with Chris Coughlin at the former Remington Rand property (180 Johnson Street).

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the Mayor is hereby authorized to sign all documents necessary to implement the lease for Sow Fresh Organics, LLC at 180 Johnson Street.

**BE IT FURTHER RESOLVED:**

That the Mayor is hereby authorized to sign all documents necessary to implement the lease with Chris Coughlin at 180 Johnson Street.

**FINANCIAL IMPACT** –It is important to secure additional revenue to run the Remington Rand building and pay back the \$225,000 operating cost loan from the general fund. No impact on the general fund other than increasing the value of a city asset.

**Agenda Item 10I**

Councilman Daley reads and moves for approval agenda item 10I; his motion is seconded by Councilman Bibisi. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 100-13**

**File Name** PCDRemRandUNISYSBoilerBldgfinal

PCDRemingtonBoilerBuilding Stack.pdf

**Description** Approving accepting a grant of \$154,000 from Unisys and approving a loan from the general fund in an amount not to exceed said grant to demolish the boiler building at 180 Johnson Street, the former Remington Rand building and authorizing the Mayor to sign documents for a transfer of a portion of City land that contains contamination or the ultimate remediation of City-owned property.

**(Approved)**

**Whereas**, the City of Middletown and Unisys Corporation are implementing an environmental remediation of the site at 180 Johnson Street; and

**Whereas**, the city has secured \$200,000 from the federal EPA revolving loan fund to remediate hazardous waste that Unisys is not responsible for; and

**Whereas**, the current remedial action approach requires the removal of condemned and deemed unsafe boiler building and smoke stack which are completely surrounded by contamination and the transfer of a portion of other city land containing contamination to the Remington property; and

**Whereas**, the removal of the building is very advantageous to the city and Unisys and its removal will add value to the property and create a larger working area for Unisys's environmental remediation project and in the long run will create much needed parking and outdoor storage for current and future building tenants; and

**Whereas**, Unisys management is only responsible for contamination in the ground but has agreed and is willing to pay \$154,000 towards the demolition of the building with the balance coming from federal EPA brownfield grant funds; and

**Whereas,** Unisys would have to go through a lengthy and very cumbersome process, including a computerized nationwide bid process, to retain a contractor to demolish the building; and

**Whereas,** at Unisys’s Corporations request and to comply with EPA’s required competitive process, the city solicited and received three (3) quotes from state bid remediation / demolition contractors using federal prevailing wage rates; and

**Whereas,** Unisys’s is requesting that the boiler building be down by late summer in order for them to complete delineation of oil beneath the building by early fourth quarter of 2013 with a winter/spring 2014 remediation of the entire property.

**Now, therefore, be it resolved by the common council of the city of Middletown:** Mayor is authorized to sign deeds and agreements to effectuate land transfer between city properties and any other documents necessary to effectuate said agreements and the ultimate remediation of the city owned property.

**Be it further resolved,** the Council accepts the \$154,000 grant from Unisys and establishes loan from the general fund in anticipation of grant funding.

**FISCAL IMPACT** – There is no financial impact on the general fund. The building would eventually have to come down at city expense; the future financial impact is quite favorable.

UNISYS

June 18, 2013  
VIA ELECTRONIC MAIL & FEDERAL EXPRESS

William Warner, AICP  
Director of Planning and Development  
City of Middletown, CT  
PO Box 1500  
Middletown, CT 06457

RE: 180 Johnson Street Property (Site)  
Coordination with City of Middletown  
Removal of Boiler Building and Smoke Stack Agreement

Dear Mr. Warner:

This correspondence is provided in follow-up to an offer by Unisys Corporation (Unisys), dated March 29, 2012, to the City of Middletown, Connecticut (City) regarding removal of the Boiler Building, removal of the Smoke Stack, and certain other matters that are more particularly described below relating to the former Harrington Rand facility located at 180 Johnson Street, Middletown, Connecticut (Site). As the City is aware, Unisys proposed a civil Remedial Action Plan (RAP) and an Alternative, 30 to 40% more other areas of investigation (AIA), the High-Cut-Away (HCA) disposal Area (AIA 1) and Rail Road Disposal Area (AIA 2), each as defined in a Final Remedial Action Plan, dated April 2013 and approved by the Connecticut Department of Energy and Environmental Protection (CTDEEP). Unisys is expected to AIA (currently at 30-percent) draft final completion) as the next step in fulfillment of the environmental response actions as the Site pursuant to a 2009 Consent Order with CTDEEP. Although CTDEEP has approved a remedial action utilizing a well and soil extraction of the Site, Unisys submitted an alternative AIA that utilizes a geo-membrane cap having the advantage of inserting the direction of the HCA cap and, thereby, allowing a significantly lower gradient change over the entire area. Their proposed alternative AIA for the HCA may provide the City greater beneficial use of the cap area for purposes such as a parking lot.

Unisys agrees with the City's perspective that time (a) sensitive elements are necessary for implementation of a remedial action in the HCA. First, a portion of the on-site prior landfill that extends roughly 1/4 mile beyond the northeastern boundary of the property shall be consolidated quickly by Unisys within the area to be capped. Second, the City shall ensure that the portion of the City's property located immediately adjacent to the Site such that the adjacent property will become part of the Site parcel (also currently owned by the City) and thereby expand the boundaries of the current Site to that of a single, Site-wide Environmental Land Use Description (ELUD) that is contained by the Site. The parcel to be conveyed by the City is shown on the enclosed design drawings (Figure CS-01-0101). Third, the City shall remove the Boiler Building and Smoke Stack having a central area, thereby enabling Unisys to grade the landscape for the HCA and Rail Road Disposal Area to create a gentle grade across those areas, as shown in Figure HCA-0102 (enclosed). With the exception of the ash in the base of the ashier stack, material from the Boiler Building and Smoke Stack cannot be placed

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Mr. Warner, City of Middletown  
June 18, 2013

Removal of the cap or its incorporation into the landfill cover, as these materials are likely regulated as asbestos debris and must be disposed by other means. Consequently, the City shall remove and properly dispose of such material in a manner that is consistent with applicable laws and regulations.

To assist the City for its removal costs and expenses in the removal and disposal of the Boiler Building and Smoke Stack, Unisys shall reimburse the City the unrecovered sum of one hundred and fifty-four thousand dollars (\$154,000) for the cost of such removal and disposal. Unisys agrees that removal costs are on a per square foot basis calculated by the City for demolition of the Boiler Building and Smoke Stack the unrecovered amount set up the removal costs. Unisys shall pay one hundred and fifty-four thousand dollars (\$154,000) to the City within sixty (60) days subsequent to Unisys receipt of written properly documented invoice for the Boiler Building and Smoke Stack removal costs in the sum of one hundred and fifty-four thousand dollars (\$154,000) or greater. In the event that Unisys for removal of the Boiler Building and Smoke Stack does not make a sum of one hundred and fifty-four thousand and fifty-four thousand dollars (\$154,000), Unisys shall reimburse the City for such removal and disposal costs of one hundred and fifty-four thousand dollars (\$154,000) for the Boiler Building and Smoke Stack removal, Unisys make no admission of liability for such removal, and Unisys further represents that it holds no liability or responsibility for Boiler Building and Smoke Stack removal.

Following removal of the Boiler Building and Smoke Stack by the City, Unisys will undertake an investigation to determine potential fate of asbestos in soil beneath and adjacent to the Boiler Building's slab, which Unisys understands the City will leave in place. To the extent that and impacted with all, as a measure of potential potential hydrocarbon (PHH) the following environmental response (PHH) costs are required, Unisys will ensure that all the extent of the PHH disposal. Following analytical testing of shallow and floor material from the excavation to confirm the achievement of cleanup goals, the material will be filled with clean soil, compacted to the ground surface on the top of the other, mentioned slab. Any portion of the Boiler Building's slab or foundation removed by Unisys in order to remove hazardous waste materials will not be replaced, so that material is removed in the removal action. Any portion of the Boiler Building's slab or foundation removed by Unisys will be disposed off Site.

The City represents to Unisys that the City shall be solely responsible for completing all work necessary to completely remove the Boiler Building and Smoke Stack from the area to be capped and graded, as shown in Figure HCA-0101. The City shall also ensure any environmental liability associated with the Boiler Building and Smoke Stack that may occur is borne by the City in the process of removing those structures.

Unisys agrees to undertake the tests, efforts and cost reimbursement described herein in accordance with the City, the City's acceptance and execution of a Site-wide HCA, and City's acceptance of Unisys's by Unisys of certain qualifying soils and AIA contained on Site as acceptable components of the final Site remedy, and the City's cooperation in executing a subordination agreement with Bankruptcy United (BU) as it relates to BU's easement for BU's electrical connection from through the High-Cut-Away Disposal Area as shown in Figure CS-01-0101. Unisys is preparing a report to CTDEEP for a number of subordination related to all elements of need listed on the property.


Unisys indicates the City's agreement and acceptance, as of the date of last signed below, with those terms specified in this agreement by duly signing this agreement. The City represents that the individual

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signing below on the behalf of a duly authorized representative of the City with the authority to bind and obligate the City. Unisys represents that the individual signing below on Unisys behalf is a duly authorized representative with authority to sign this agreement on behalf of Unisys.

Sincerely,

  
Martin R. Huse  
Corporate Environmental Affairs

Securities (2)

cc: Paul Janssen, CTDEEP  
Janis Barr, Langston Engineering

ACCEPTANCE, AGREEMENT AND ACKNOWLEDGEMENT

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
City of Middletown, Connecticut  
Date: \_\_\_\_\_

**Agenda Item 10J**

Councilman Serra reads and moves for approval agenda item 10J; his motion is seconded by Councilman Faulkner. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 101-13****File Name** PCDCongdonSTDrainage**Description** Authorizing the relocation of the drainage line at Lutheran Social Services of New England, Inc. at Congdon Street West and Ridgewood Road subject to the conditions set forth in the Public Works Site Plan Review of the documents.**(Approved)**

**WHEREAS**, Lutheran Social Services of New England, Inc. presented plans to relocate a drainage line on their property at Congdon Street West & Ridgewood Road.

**WHEREAS**, a developer has agreed to purchase the parcel and will be responsible for all costs of relocating the line which will provide a new drainage line for the City of Middletown.

**WHEREAS**, at the June 10, 2013 meeting of the Economic Development Committee, the committee membership voted unanimously to approve the drainage relocation proposal with an affirmative recommendation for the Council's consideration.

**WHEREAS**, the Planning and Zoning Commission, at their June 12, 2013 meeting approved the request to relocate the drainage line at Congdon Street West and Ridgewood Road.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the Council authorizes the relocation of the drainage line at Congdon Street West and Ridgewood Road subject to the conditions set forth in the Public Works Site Plan Review of the improvements.

**FISCAL IMPACT:** There is no impact on the General Fund.

**Agenda Item 10K**

Councilman Serra reads the resolution in its entirety and moves it for approval; his motion is seconded by Councilman Daley. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

**Resolution No. 102-13****File Name** MOBOEreturnof\$224,000Revenue**Description** Approving returning the \$224,000 to the Board of Education, the funds unspent by the board for fiscal year 2012-13, once it is received by the City.**(Approved)**

**Whereas**, at the May 15, 2013 Common Council Meeting, Resolution 77-13 was adopted which amended the Mayor's 2013-14 City of Middletown budget; and

**Whereas**, the Resolution included revenue to be returned to the City of Middletown from the Board of Education in the amount of \$224,000; and

**Whereas**, the Board of Education had intended to return these funds to the City when it received reimbursement from the State for the Excess Cost Grant; and

**Whereas**, the Excess Cost Grant reimbursement will be commingled with the ECS funding in 2013-14 Fiscal Year; and

**Whereas**, the Common Council understands the financial constraints the Board of Education is under to meet the educational needs of the City's school children.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the Mayor and Common Council agree to reimburse the Board of Education the \$224,000 once it is received by the City.

**Agenda Item 11****Description** Mayor's Appointments**(Approved)**

The Chair reads the appointments for approval. Councilman Daley moves them for approval and his motion is seconded by Councilman Santangelo. The Chair calls for the vote. It is ten aye votes by Council Members Serra, Bartolotta, Daley, Santangelo, Kasper, Faulkner, Pessina, Bibisi, Berch, and Kleckowski and one nay vote by Councilwoman Salafia. The Chair states the matter passes with ten affirmative votes and one in opposition.



**Long Hill Estate Authority:**

Appointment of Joseph Barone to August 31, 2016  
Appointment of Robert H. Boone to August 31, 2016  
Appointment of Sheila Iglesias to August 31, 2016

**CT River Valley Regional Planning Commission:** (Replaces MidState Regional Planning)

Appointment of Elizabeth Emery as the regular member to  
Appointment of Molly Salafia as the alternate member to

**Board of Ethics:**

Reappointment of Ted Stein to December 31, 2017.  
Reappointment of Stanley Sadinsky as an alternate to December 31, 2017

**CVH Advisory Council:**

Appointment of Mark Ludwig to replace Michelle Maloney.

**Motion to Adjourn**

Councilman Faulkner moves to adjourn; his motion is seconded by Councilman Berch. The Chair, hearing no discussion, calls for the vote. It is unanimous to approve with eleven affirmative votes. The Chair declares the meeting adjourned at 8:09 p.m.

ATTEST:

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MARIE O NORWOOD  
Common Council Clerk